

### **REMARKS**

In the Final Office Action of January 5, 2007, claims 1, 2, 6-8, 10-15, 25-29, 33-35, 37, and 52-54 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,480,860, issued to Monday, in view of U.S. Patent No. 6,704,723, issued to Alavi et al. ("Alavi"), claims 3-5 and 30-32 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Monday in view Alavi, and further in view of U.S. Patent No. 6,732,360, issued to Seo, and claims 9 and 36 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Monday in view of Alavi, and further in view of U.S. Patent No. 5,826,270, issued to Rutkowski.

Applicants traverse these rejections for the following reasons.

Claims 1, 2, 6-8, 10-15, 25-29, 33-35, 37, and 52-54 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Monday in view of Alavi. However, in rejecting these claims, the Examiner failed to establish a *prima facie* showing of obviousness.

M.P.E.P. § 2142 states, "[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness." To establish *prima facie* obviousness under 35 U.S.C. § 103(a), three requirements must be met. First, the applied references, taken alone or in combination, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8th ed. 2001). Second, there must be some suggestion or motivation, either in the reference(s) or in the knowledge generally available to one of ordinary skill in the art, to combine or modify the reference(s) in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be

found in the prior art, and not be based on applicant's disclosure." M.P.E.P. § 2143 (8th ed. 2001).

In rejecting the claims, the Examiner has failed to show that the cited references, taken alone or in combination, teach or suggest every element recited in the claims. Therefore, the Examiner has failed to establish a *prima facie* showing of obviousness. For example, claim 1 recites the following:

A computer based method for retrieving information for use by a requestor application, comprising the steps of:  
    sending, by the requestor application, an information request to a master pivot program, the information request including document information related to a requested financing document that is part of a group of requested financing documents;  
    retrieving the document information from the information request;  
    retrieving document retrieval information from a configuration database as a function of the document information, the document retrieval information including a destination system;  
    sending the document retrieval information and the information request to a destination pivot program coupled to the destination system;  
    retrieving the requested financing document from the destination system by the destination pivot program; and  
    sending the requested financing document to the requestor application.

As conceded by the Examiner, Monday does not disclose, *inter alia*, that the retrieved financing document is part of a group of requested financing documents. See, e.g., Final Office Action at 3. The Examiner, however, cites Alavi as allegedly disclosing this feature. The Examiner equates the "set of results" generated by Alavi with the claimed "requested financing document that is part of a group of requested financing documents." See, e.g., Final Office Action at 12. This characterization of Alavi is incorrect.

Alavi discloses a method and system for providing business intelligence information over a computer network via extensible markup language. See Alavi, Title.

The system of Alavi allows users to submit queries for certain financial information, and returns results of the query as a set of results, such as a table or report. See id. at column 4, line 44 – column 5, line 50. Alavi further discloses transmitting results via an XML results document. See id. at column 7, lines 5-14.

Thus, Alavi discloses that a user may submit a query to view a “set of results” obtained from one or more databases. The set of results may be presented in the form of a “report,” which is shown in Fig. 1 and described in column 5 of Alavi as a single report. See, e.g., Alavi, column 5, lines 14-17 (“[t]he analytical engine 104 may process such queries to generate a quantitative report 110, which may include a table or other output indicating the results 114 extracted from the data storage devices...”). Alavi additionally describes returning retrieved information as part of a single XML document. See, e.g., Alavi, column 7, lines 9-11 (“the retrieved information is formatted into an XML results document, transmitted to the network server computer system . . .”).

As such, Alavi merely discloses retrieving results as a *single* set of data and returning the set of data as a “report” or “table.” Alavi fails to disclose that the returned information is a *financing document*, and further fails to disclose that the returned financing document is part of a *group* of requested *financing documents*. The retrieved information described by Alavi is merely data in report or other presentation form, and does not include a financing document. For example, the report may include information about “an average, a mean and a standard deviation of an account balance on a portfolio of credit or other accounts,” or may include information about “consumer sales by an organization’s Chicago office during calendar year 1997.” Id. at column 5, lines 11-13; column 7, lines 25-27. However, none of the information described by Alavi

includes a *financing document*. As described in Applicants' specification, a financing document is a document used in connection with financing a transaction. See, e.g., Applicant's specification, paragraphs 5, 6, 22-23, 30-68. Alavi simply fails to disclose or suggest requesting and sending such financing documents, and the Examiner is incorrect in characterizing the compiled financial information and reports disclosed by Alavi as "financing documents," as claimed.

In addition, the "group of results" returned in "document form" that the Examiner contends is disclosed by Alavi does not include document that is part of a *group* of requested *financing* documents. The Examiner apparently contends that the results returned in a single document "can be considered documents in this field of art." The Examiner provides no basis for this blanket assertion. Alavi does not teach or suggest that a returned report, table, or XML document is part of a group of requested documents. Furthermore, in making this argument, the Examiner has failed to address the claim language. The claim describes that the returned *financing document* is part of a group of requested *financing* documents. The Examiner thus additionally provides no support that a single financing document can be considered a group of financing documents.

For at least the above reasons, Alavi fails to disclose "sending an information request including document information related to a requested financing document that is part of a group of requested financing documents," and "sending the requested financing document" to a requestor application, as recited in claim 1. Because neither Monday nor Alavi, either alone or in combination, teach each and every limitation of claim 1, the Examiner has failed to establish a *prima facie* showing of obviousness in

rejecting the claim. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn and the claim allowed.

Independent claims 25 and 52, although of different scope from claim 1, also recite a requested financing document that is "part of a group of requested financing documents." Thus claims 25 and 52 are distinguishable from the cited art for at least similar reasons to those discussed above in connection with claim 1. Accordingly, the rejection of claims 25 and 52 should be withdrawn and the claims allowed.

Dependent claims 2, 6-8, 10 and 53 depend from independent claim 1, while dependent claims 26-29, 33-35, 37, and 54 depend from independent claim 25. As explained above, independent claims 1 and 25 are distinguishable from the cited art. Therefore, dependent claims 2, 6-8, 10, 26-29, 33-35, 37, 53, and 54 are also distinguishable from the cited art for at least the same reasons set forth above in connection with independent claims 1 and 25. Accordingly, the rejection of these claims should be withdrawn and the claims allowed.

Dependent claims 3-5 and 30-32 were rejected as being unpatentable over Monday in view of Alavi and Seo, and dependent claims 9 and 36 were rejected as being unpatentable over Monday in view of Alavi and Rutkowski. However, as discussed above, Monday and Alavi fail to disclose certain claim features present in the pending independent claims. For example, neither Monday nor Alavi disclose or suggest a requested financing document that is part of a group of requested financing documents, as recited in independent claims 1, 25, and 52. Neither Seo nor Rutkowski cure this deficiency. Thus, Applicants respectfully traverse the rejections of claims 3-5, 9, 30-32, and 36 for at least the same reasons described above.

In view of the foregoing remarks, Applicants submit that claims 1-10, 25-37, and 52-54 are neither anticipated nor rendered obvious in view of the cited art. Applicants therefore request the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

The Final Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Final Office Action.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicants' representative, whose name and registration number appear below, to discuss any remaining issues.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 30, 2007

By: Bradley E. Edelman  
Bradley E. Edelman  
Reg. No. 57,648